Congress of the United Sta.

House of Representatives

Washington, DC 20515

August 14, 1986

The Honorable Claude Pepper
Chairman
Committee on Rules
House of Representatives
Washington, D.C.   20515

Dear Mr. Chairman:

On August 6, 1986 the Committee on Science and Technology and
the Committee on Government Operations reported H.R. 2889, the
Computer Security Act of 1986. The bill failed of passage under
suspension of the rules on August 13, 1986. We believe this
legislation would merit passage by the House under regular
procedures with only a few adjustments to address concerns of the
members of the Committee on Armed Services and the Select
Committee on Intelligence. We are directly concerned with the
provisions of the legislation as they affect the acquisition and
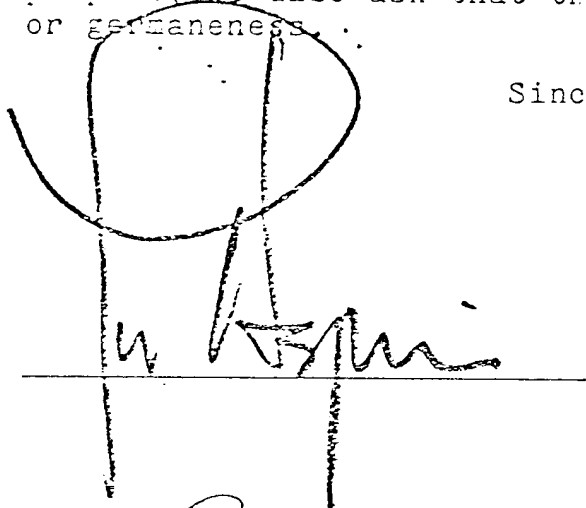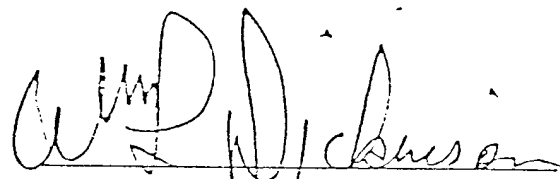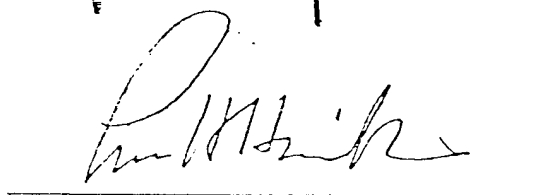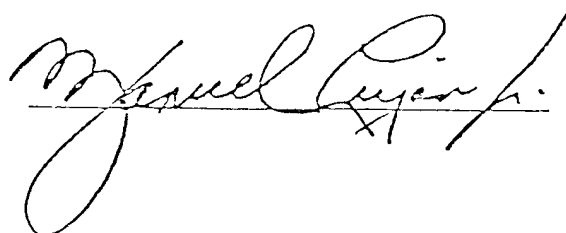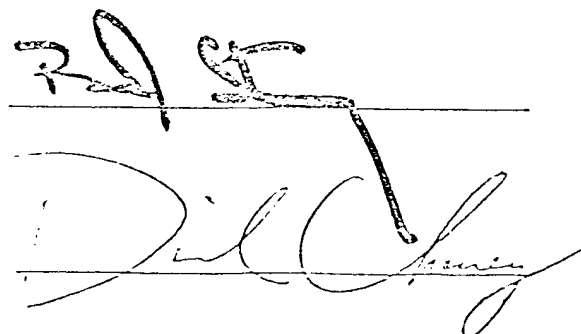security of defense and national security-related computer
systems.

First, we are concerned that section 4(b) of H.R. 2889 expands
the jurisdiction of the General Services Administration over the
acquisition of automated data processing equipment by other
federal agencies. Since Chairman Brooks stated during the floor
debate that it was not his intention that Section 4(b) expand
GSA's jurisdiction we believe that our amendments on this subject
should be relatively noncontroversial. If the intent is to
clarify the Brooks Act in light of continuing controversy
regarding its application, we would welcome the opportunity to
work with Chairman Brooks on a mutually acceptable solution to
that problem. We believe, however, that a solution to that issue
is not necessary to resolve the problems to be addressed by H.R.
2889.

The other concern with the bill is the scope of the computer
security authority granted to the National Bureau of Standards
(NBS). We agree with the sponsors of H.R. 2889 that computer
systems handling classified information, because the national
security depends upon them, should remain within the computer
security purview of the Secretary of Defense. We also agree with
the sponsors of the bill that the agencies' unclassified computer
systems in which individual Americans have a paramount privacy
interest should be within the computer security purview of the
Secretary of Commerce rather than that of the Secretary of

Defense. Thus, for example, it is perfectly appropriate that NBS handle computer security standards and guidelines for Social Security Administration, Veterans Administration, and Internal Revenue Service computer systems. We believe, however, that the House should modify H.R. 2889 to recognize that certain computer systems containing unclassified information are crucial to U.S. defense and continuity of government efforts, and should thus remain within the computer security purview of the Secretary of Defense. Examples of such computers systems include the Treasury Department and Federal Reserve System computer networks critical to the U.S. banking system and the Federal Aviation Administration's air traffic control computer systems.

In order to allow Members to raise these concerns and offer perfecting amendments, we request that the enclosed amendments be made in order, or that an open rule be granted. To ensure that Members will be afforded an opportunity to vote on this bill without having to resolve issues unrelated to its intended purpose, we also ask that there be no waivers of points of order or germaneness.

Sincerely,

PROPOSED AMENDMENTS TO H.R. 2889
TO ADDRESS NATIONAL SECURITY CONCERNS

[Amendments to H.R. 2889, printed as reported]

Page 10, line 13, strike "(a)" and on page 12, beginning line 14, strike subsection 4(b).

Page 15, lines 3 and 4, strike ", and section 111 of the Federal Property and Administrative Services Act of 1949".

Page 16, lines 7 and 8, strike "the national interest or the conduct of Federal programs, or".